



1642
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Hermann, et al

EXAMINER: Christopher H. Yaen

SERIAL NUMBER: 09/970,944

ART UNIT: 1642

FILING: DATE: October 4, 2001

FOR: NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME AND
ANTIBODIES DIRECTED AGAINST THESE PROTEINS

Mail Stop IDS

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page) in duplicate;
3. Copies of Cited references C3-C9 and;
4. Return Postcard

No fee is believed to be due at this time. However, the Commissioner is authorized to charge any additional fees that may be due to Deposit Account No.502648, Reference No. Cura 438 (21402-138). A duplicate copy of this transmittal letter is enclosed.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at 203/974-6303, New Haven, Connecticut.

Respectfully submitted,

Date: August 3, 2004

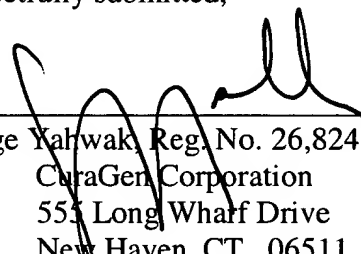
George Yahnwak, Reg. No. 26,824
c/o CuraGen Corporation
555 Long Wharf Drive
New Haven, CT 06511
Tel: (203) 974-6303
Fax: (203) 401-3351

does not exist; and (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The order of presentation of the references should not be constructed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, as a result of this submission to Deposit Account No. 502648, Reference No. 21402-138 (Cura 438).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'George Yahwak', is written over a horizontal line.

Date: August 3, 2004

George Yahwak, Reg. No. 26,824
c/o CuraGen Corporation
551 Long Wharf Drive
New Haven, CT 06511
Tel: (203) 974-6303
Fax: (203) 401-3351



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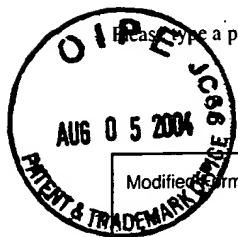
SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents attached modified Form PTO-1449.

This Supplemental Information Disclosure Statement is being filed with in three months of the mailing date of the Restriction Requirement for US Case No. 09/970944. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and signs the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By Submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, or that more relevant information



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PTO/SB (12-97)

Approved for use through 9/30/00. OMB 0651-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Modified Form 1449/PTO

**SUPPLEMENTAL INFORMATION
DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	09/970,944
Filing Date	04-OCT-01
First Named Inventor	Hermann, et al.
Group Art Unit	1642
Examiner Name	Christopher H. Yaen
Attorney Docket Number	(Cura 438) 21402-138

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
	A1						

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No
	B1				

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C3	GenBank Accession Number: AAH09333 (25-MAR-2004).
	C4	GenBank Accession Number: BC009333 (25-MAR-2004).
	C5	GenBank Accession Number: NP_003719 (26-APR-2004).
	C6	GenBank Accession Number: NP_033498 (24-DEC-2003).
	C7	GenBank Accession Number: NP_071542 (25-JUN-2004).
	C8	GenBank Accession Number: XM_030300 (19-FEB-2004).
	C9	GenBank Accession Number: XP_042940 (13-MAY-2002).

* a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered.

Include copy of this form with next communication to applicant.